

IN RE: PETITION FOR VARIANCE
S/S Trappe Road, 685' W of
the c/l of Church Road
(7715 Trappe Road)
12th Election District
7th Councilmanic District

Charles F. Pepersack, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 96-492-A
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Variance for that property known as 7715 Trappe Road, located in the vicinity of Merritt Boulevard in Dundalk. The Petition was filed by the owners of the property, Charles F. and Deborah J. Pepersack, and the Contract Purchasers, Fuscick Enterprises, LLC. The Petitioners seek relief from Section 409.4.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 10-foot wide, two-way driveway width, in lieu of the required 20 feet. The subject property and relief requested are more particularly described on the site plan submitted which were accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitioners were George Fuscick, Contract Purchaser, and Robert E. Joy, Esquire, attorney for the Petitioners. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 0.416 acres, zoned B.M.-C.T., and is improved with a two-story brick building, previously used as a private residence. The Petitioners have contracted to sell the property to George Fuscick who proposes to convert the dwelling into offices for his accounting and tax service business. Testimony indicated that proposed improvements to the site will include six (6) parking spaces to the rear of the building.

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

Due to the location of the existing building on the lot, only a 10-foot wide setback can be maintained on either side of the structure. Thus, only a 10-foot wide driveway can be provided to access the parking area in the rear. Therefore, the requested variance is necessary.

At the conclusion of the hearing, an adjoining property owner, Edward Thomas who resides at 7717 Trappe Road, appeared. Mr. Thomas is not opposed to the variance, but requested a privacy fence be installed along the northwest side of the subject property adjacent to his property, to shield the parking area from his home. Furthermore, he requested that a small curb be added along the western edge of the driveway to divert any water runoff generated by the parking lot and the driveway itself away from his property and out to Trappe Road. In consideration of Mr. Thomas' concerns, I will impose a restriction requiring such improvements be undertaken at the end of this Order.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

ORDER RECEIVED FOR FILING

Date

By

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the variance requested should be granted.

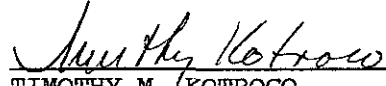
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of July, 1996 that the Petition for Variance seeking relief from Section 409.4.A of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a 10-foot wide, two-way driveway width, in lieu of the required 20 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such

time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The Petitioner shall install a 6-foot high privacy fence along the western property line, commencing at the rear of the existing two-story building and running to the end of the parking lot area to the rear. In addition, the Petitioner shall install a small curb along the western edge of the driveway itself to divert any water runoff generated by the parking area and driveway away from the adjoining Thomas property and out to Trappe Road.

3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


TIMOTHY M. KOTROCO
Deputy Zoning commissioner
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

July 15, 1996

(410) 887-4386

Robert E. Joy, Esquire
11 Center Place
Dundalk, Maryland 21222

RE: PETITION FOR VARIANCE
S/S Trappe Road, 685' W of the c/l of Church Road
(7715 Trappe Road)
12th Election District - 7th Councilmanic District
Charles F. Pepersack, et ux - Petitioners
Case No. 96-492-A

Dear Mr. Joy:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy M. Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. & Mrs. Charles F. Pepersack
2300 Crossett Road, Baltimore, Md. 21237

Mr. George Fuscick, Fuscick Enterprises, LLC
7835 Wise Avenue, 2nd Floor, Baltimore, Md. 21222

Mr. Edward Thomas
7717 Trappe Road, Baltimore, Md. 21222

People's Counsel
Case File

MICROFILMED





Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

7715 Trappe Road, Dundalk, MD, 21222

96-492-A

which is presently zoned BM-CT

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

Sec. 409.4.A - 20 Foot Two-Way Drive Requirement

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Existing driveway of 10 feet does not meet Baltimore County Zoning Regulations for Two-Way Drive. This existing Drive provides the only access to the rear of building, which is where the Baltimore County Office of Planning recommended parking be placed. We will have limited traffic flow.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

Contract Purchaser/Lessee.

FUSCSICK ENTERPRISES, LLC

(Type or Print Name)

Signature

7835 Wise Avenue, 2nd Floor

Address

Baltimore, MD 21222

City

State

Zipcode

Attorney for Petitioner

ROBERT E. JOY, ATTORNEY

(Type or Print Name)

Signature

11 Center Place

410-282-3450

Address

Phone No.

City

State

Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition

Legal Owner(s)

CHARLES F. PEPERSACK

(Type or Print Name)

Charles J. Pepersack

Signature

DEBORAH J. PEPERSACK

(Type or Print Name)

Deborah J. Pepersack

Signature

2300 Crossett Road 410-866-1411

Address

Phone No

Baltimore, MD 21237

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

ROBERT E. JOY, ATTORNEY

Name

11 Center Place

410-282-3450

Address

Dundalk, MD 21222

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

R.T.

DATE

6-11-96

ITEM #490

ORDER RECEIVED FOR FILING

Date

By

Printed with Soybean Ink
on Recycled Paper

MICROFILMED

FRANK S. LEE

Registered Land Surveyor

96-492-A

1277 NEIGHBORS AVE. — BALTIMORE, MD. 21237

June 10, 1996

No. No. 7715 Trappe Road
12th District Baltimore County, Maryland

Beginning for the same on the south side of Trappe Road at the distance of 685 feet more or less measured southwesterly along the south side thereof from the center of Church Road, thence binding on the south side of Trappe Road South 81 degrees 55 minutes West 50 feet, thence running for three lines of division South 1 degree 25 minutes West 249.13 feet, South 72 degrees 54 minutes East 92.07 feet and North 6 degrees 31 minutes West 285 feet to the place of beginning.

Containing 0.42 acres of land more or less.

MICROFILMED



ITEM# 490

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-492A

District: 12th Date of Posting: 6/22/96
Posted for: Veronica
Petitioner: Charles & Rob Papasick & Fusesick Enterprises, LLC
Location of property: 1715 Trapp Rd, SL3
Location of Signs: Family Pharmacy on property, being posted
Remarks:
Posted by: M. Papasick Date of return: 6/28/96
Number of Signs: 1



RECORDED

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #96-482-A
(Item 490)
7715 Trappe Road
S/S Trappe Road, 685' +/-
W of c/c Church Road
12th Election District
7th Councilmanic
Legal Owner(s):
Charles F. Pipersack and
Deborah J. Pipersack
Contract Purchaser:
Fuscsick Enterprises, LLC

Variance: 20 foot two-way
drivng requirement.
Hearing: Friday, July 12, 1996
at 9:00 a.m. in Rm. 106,
County Office Building.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Handicapped Accessible; for
special accommodations
Please Call 867-3353.
(2) For information concern-
ing the file and/or Hearing,
Please Call 867-3391.

6/29/94 June 27 C62772

CERTIFICATE OF PUBLICATION

TOWSON, MD., 6/27, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 6/27, 1996.

THE JEFFERSONIAN,

A. H. Enickman
LEGAL AD. - TOWSON

A. H. Enickman
LEGAL AD. - TOWSON

RECORDED

BALTIMORE COUNTY, MARYLAND
OFFICE OF F CE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 072423
FE - 490

DATE 6- 30 ACCOUNT 96-492-6152

020-04-7-250
080-04-9-250 AMOUNT \$ 285.22

RECEIVED FROM: FILED A. ENTERPRISES

FOR: 96-492-A
PROFEE

MICROFILMED

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

TO: PUTUXENT PUBLISHING COMPANY
June 27, 1996 Issue - Jeffersonian

Please forward billing to:

Robert E. Joy, Esq.
11 Center Place
Dundalk, Maryland 21222
282-3450

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-492-A (Item 490)
7715 Trappe Road
S/S Trappe Road, 685'+/- W of c/l Church Road
12th Election District - 7th Councilmanic
Legal Owner(s): Charles F. Pepersack and Deborah J. Pepersack
Contract Purchaser: Fuscick Enterprises, LLC

Variance - 20 foot two-way drive requirement.

HEARING: FRIDAY, JULY 12, 1996 at 9:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

FILED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

June 20, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-492-A (Item 490)
7715 Trappe Road
S/S Trappe Road, 685'+/- W of c/l Church Road
12th Election District - 7th Councilmanic
Legal Owner(s): Charles F. Pepersack and Deborah J. Pepersack
Contract Purchaser: Fuscick Enterprises, LLC

Variance - 20 foot two-way drive requirement.

HEARING: FRIDAY, JULY 12, 1996 at 9:00 a.m. in Room 106, County Office Building.

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Fuscick Enterprises, LLC
Charles and Deborah Pepersack
Robert E. Joy, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

July 5, 1996

Robert E. Joy, Esquire
11 Center Place
Dundalk, MD 21222

RE: Item No.: 490
Case No.: 96-492-A
Petitioner: C. F. Pepersack, et ux

Dear Mr. Joy:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 11, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 06/26/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JUNE 24, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 490, 491, 493, 494, 495, 496,
497, 498 and 499.

2 1996

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

MICROFILMED

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: 6/27/96

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: For July 1, 1996

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

490

492

493

494

495

496

498

499

RBS:sp

BRUCE2/DEPRM/TXTSBP

MICROFILMED



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Hal Kassoff
Administrator

6-21-96

Ms. Joyce Watson
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 490 (RT)

Dear Ms. Watson:

This office has reviewed the referenced plan and we have no objection to approval as the development does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions. Thank you for the opportunity to review this plan.

Very truly yours,

for *Bob Small*
Ronald Burns, Chief
Engineering Access Permits
Division

BS

ENCLOSURE

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: June 19, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

476, 9nd.
Item No. Nos 490, 492, 493, 494, 495, 496, 498, and 499

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey Long

Division Chief: Cam L. Kerns

PK/JL

Hearing 7/12/96
@ 9:00

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: July 9, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 7715 Trappe Road (REVISED COMMENT)

INFORMATION:

Item Number: 490

Petitioner: Pepersack Property

Property Size: _____

Zoning: BM-CT

Requested Action: _____

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The Office of Planning revises its comment as follows in support of the subject Variance request. The applicant's site is improved with a single family house which is located in a BM-CT zone. A garage is located in the rear yard where the petitioner plans on expanding the parking. Ample area exists in the rear yard to provide for parking. However, there is not enough room along the side yard to accommodate the 20 foot two way drive requirement. If this variance is not granted, the petitioner might place the parking in the front yard which would have a negative impact on the adjoining residential uses.

Prepared by: Jeffrey W. Long

Division Chief: Caryl Keene

PK/JL

ITEM490/PZONE/ZAC1

MICROFILMED

PETITION PROBLEMS

#490 --- RT

1. Petition does not say what is being requested.
2. No printed name or title for person signing for contract purchaser.

#492 --- MJK

1. No telephone number for legal owner.
2. No printed name or title for person signing for lessee.

#495 --- JLL

1. No review information on bottom of petition form.

#498 --- CAM

1. Only one folder with petition -- "box" is not acceptable.

6/18/96

MICROFILMED

RE: PETITION FOR VARIANCE * BEFORE THE
7715 Trappe Road, S/S Trappe Road, 685'+/-
W of c/l Church Road, 12th Election * ZONING COMMISSIONER
District, 7th Councilmanic * OF BALTIMORE COUNTY
Legal Owner(s): Charles and Deborah Pepersack
Contract Purchaser: Fuscick Enterprises, LLC
Petitioner * CASE NO. 96-492-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28th day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Robert E. Joy, Esquire, 11 Center Place, Baltimore, MD 21222, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

MICROFILMED

Baltimore County Government
Department of Permits and
Development Management



111 West Chesapeake Ave.
Towson, Md. 21204

(410) 887-3321

June 5, 1996

George Fuscick/Frank Nwankwo
7835 Wise Avenue, 2nd Floor
Baltimore, Maryland 21222-3350

RE: Trappe Road CPA Office
7715 Trappe Road
DRC Number 06036H, Dist. 12C7

Dear Sir:

Pursuant to Article 25A, Section 5(U) of the Annotated Code of Maryland and as provided in Section 602(d) of the Baltimore County Charter and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal or modification of a license, permit, approval, exemption, waiver or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to insure compliance with Section 26-171 and Section 26-211 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management.

The DRC has in fact met in an open meeting on June 3, 1996 and made the following recommendations:

The DRC has determined that your project meets the requirements of a limited exemption under Section 26-171 (a)(7).

Also, please be advised that a variance will be necessary.

MICROFILMED

ITEM # 490

George Fuscick/Frank Nwankwo
Trappe Road CPA Office
June 5, 1996
Page 2

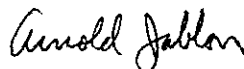
A copy of this letter must be presented when submitting engineering/construction plans to this office and/or when applying for a permit with the Permits and Licenses Section.

Be advised that Phase 2 review fees may apply, depending on the amount of site disturbance and/or the requirement of a Public Works Agreement.

I have reviewed the recommendations carefully and I have determined to adopt the recommendations set forth above. It is this 5th day of June, 1996, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for any permits that may be required for this project, your application will be processed subject to the conditions set forth above and any plans, securities, or non-county permits that may be required in accordance with County, State, or Federal regulations.

Sincerely,



Arnold Jablon
Director

AJ:DTR:aw

c: Bruce Seeley
Carol Brown
File

MICROFILMED ITEM# 490



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

June 25, 1997

Mr. George G. Fuscick
Fuscick Enterprises, LLC
7715 Trappe Road
Baltimore, Maryland 21222-2256

RE: PETITION FOR VARIANCE
S/S Trappe Road, 685' W of the c/l of Church Road
(7715 Trappe Road)
12th Election District - 7th Councilmanic District
Case No. 96-492-A

Dear Mr. Fuscick:

In response to your letter dated June 19, 1997 concerning the above-captioned matter, the following comments are offered.

You have requested a modification of the previously approved site plan in Case No. 96-492-A, to construct a 24' x 32' storage shed at the rear of your lot, in accordance with the revised site plan submitted with your letter dated June 11, 1997. You have also obtained the approval of your neighbor, Mr. Thomas Edward, as evidenced by his signed statement this date.

After reviewing my previous decision in this matter and your revised site plan, I find that the proposed shed meets the spirit and intent of the relief granted in Case No. 96-492-A. Furthermore, it is clear that your neighbor has no objections to your plans. Thus, I will approve your request for modification in accordance with the revised site plan dated June 11, 1997.

Should you have any further questions on the subject, please feel free to contact me.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Thomas Edward, 7717 Trappe Road, Baltimore, Md. 21222
Case File

MICROFILMED



Edward & Celia Thomas
7717 Trappe Rd
Baltimore, MD 21222

June 25, 1997

Mr. Timothy Kotroco
Deputy Zoning Commissioner
400 Washington Ave
Towson, MD 21204

re: Proposed Storage Shed at 7715 Trappe Road

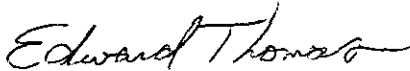
Dear Mr. Kotroco:

This letter will serve as a formal response to the request made by our neighbor, George G. Fuscick, Managing Member for Fuscick Enterprises, LLC to construct a 24ft wide by 32ft long storage shed to the rear of his lot.

We do not object to this project.

If you require any additional information, please contact us at (410)-285-6450.

Sincerely,



Edward Thomas



Celia Thomas

MICROFILMED

FUSCSICK ENTERPRISES, LLC7715 TRAPPE ROAD
BALTIMORE, MD 21222-9350TELEPHONE (410) 284-6641
FAX (410) 282-1847**TELECOPIER TRANSMITTAL COVER SHEET**

PLEASE DELIVER THE FOLLOWING PAGE(S) TO:

DATE: 6/25/97NAME: TIMOTHY KORECOFIRM: BART CO. ZONINGTELECOPIER PHONE NO: 410-887-3468TOTAL NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 2

COMMENTS:

- THE ORIGINAL WILL BE HAND DELIVERED ON THURSDAY TO
THE ZONING COMMISSIONER'S OFFICE.

IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL BACK AS SOON AS POSSIBLE: (410) 284-6641.

ORIGINAL FORWARDED: - ON 6/26/97 - HAND DELIVEREDOUR TELECOPIER PHONE NO: 410-282-1847CLIENT/MATTER: FUSCSICK ENTERPRISES, LLC - 24X32 STORAGE SHED
7715 TRAPPE RD, BALTIMORE, MD

FROM: _____

TRANSMITTED BY: GEORGE FUSCSICK

IMPORTANT NOTICE BELOW

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

MICROFILMED

Edward & Celia Thomas
7717 Trappe Rd
Baltimore, MD 21222

June 25, 1997

Mr. Timothy Kotroco
Deputy Zoning Commissioner
400 Washington Ave
Towson, MD 21204

re: Proposed Storage Shed at 7715 Trappe Road

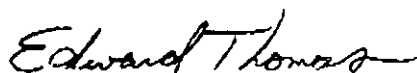
Dear Mr. Kotroco:

This letter will serve as a formal response to the request made by our neighbor, George G. Fuscick, Managing Member for Fuscick Enterprises, LLC to construct a 24ft wide by 32ft long storage shed to the rear of his lot.

We do not object to this project.

If you require any additional information, please contact us at (410)-285-6450.

Sincerely,



Edward Thomas



Celia Thomas

MICROFILMED

FUSCSICK ENTERPRISES, LLC

7715 TRAPPE ROAD
BALTIMORE, MD 21222-2256

TELEPHONE (410) 284-6641

FAX (410) 282-1847

June 19, 1997

Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County Office of Planning & Zoning
400 Washington Ave, Suite 112
Towson, MD 21204

RE: Spirit and Intent Change to Petition for Variance
S/S Trappe Road, 685' W of the c/l of Church Road
(7715 Trappe Road)
12th Election District - 7th Councilmanic District
Case No. 96-492-A

Dear Mr. Kotroco:

Please accept this letter as a formal request to allow the construction of a 24'x 32' storage shed at the rear of our lot, detailed in attached revised plat, in the Spirit and Intent of the Variance that was granted after the hearing on July 12th, 1996.

A Spirit and Intent authorization change was granted on July 31, 1996 after the hearing to allow the revised parking configuration that is now in use. As noted in the original Spirit & Intent Change letter of July 31, 1996 (see attached) I had to remove our existing garage that was used for storage. At this time I would like to construct a 24'x 32' storage shed at the rear of our lot to store our client's tax & investment files and to also store maintenance equipment used in maintaining our property; ie. snow blower, lawn mower etc. I have obtained a DRC Limited Exemption, under Section 26-17(a)(7) for this project. I have also applied for a building permit, number B-305888 dated 5/23/97.

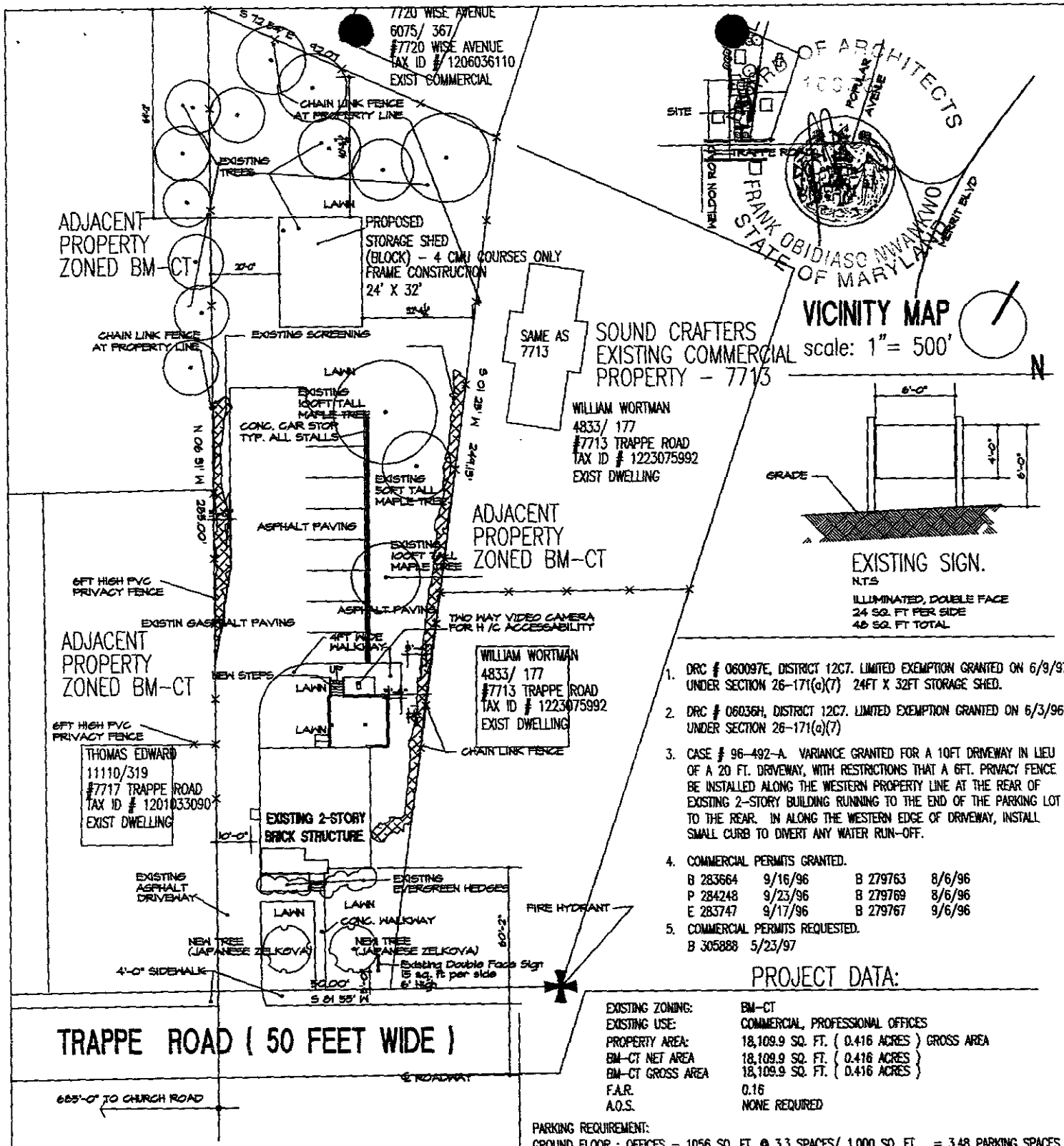
Thanks in advance for considering the construction of the storage shed as being within the Spirit and Intent of the original zoning variance. If you require any additional information or have any questions please contact me at the numbers listed above.

Kind regards,



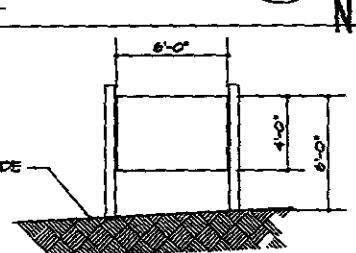
George G. Fusc Sick, CPA, CFS

MICROFILMED



VICINITY MAP

scale: 1" = 500'



EXISTING SIGN.

N.T.S.
ILLUMINATED, DOUBLE FACE
24 SQ. FT PER SIDE
48 SQ. FT TOTAL

1. DRC # 060097E, DISTRICT 12C7. LIMITED EXEMPTION GRANTED ON 6/9/97 UNDER SECTION 26-171(a)(7) 24FT X 32FT STORAGE SHED.
2. DRC # 06036H, DISTRICT 12C7. LIMITED EXEMPTION GRANTED ON 6/3/96 UNDER SECTION 26-171(a)(7)
3. CASE # 96-492-A. VARIANCE GRANTED FOR A 10FT DRIVEWAY IN LIEU OF A 20 FT. DRIVEWAY, WITH RESTRICTIONS THAT A 6FT. PRIVACY FENCE BE INSTALLED ALONG THE WESTERN PROPERTY LINE AT THE REAR OF EXISTING 2-STORY BUILDING RUNNING TO THE END OF THE PARKING LOT TO THE REAR. IN ALONG THE WESTERN EDGE OF DRIVEWAY, INSTALL SMALL CURB TO DIVERT ANY WATER RUN-OFF.
4. COMMERCIAL PERMITS GRANTED.

B 283664	9/16/96	B 279763	8/6/96
P 284248	9/23/96	B 279769	8/6/96
E 283747	9/17/96	B 279767	9/6/96
5. COMMERCIAL PERMITS REQUESTED.
B 305888 5/23/97

PROJECT DATA:

EXISTING ZONING:	BM-CT
EXISTING USE:	COMMERCIAL, PROFESSIONAL OFFICES
PROPERTY AREA:	18,109.9 SQ. FT. (0.416 ACRES) GROSS AREA
BM-CT NET AREA	18,109.9 SQ. FT. (0.416 ACRES)
BM-CT GROSS AREA	18,109.9 SQ. FT. (0.416 ACRES)
F.A.R.	0.16
A.O.S.	NONE REQUIRED

PARKING REQUIREMENT:

GROUND FLOOR : OFFICES - 1056 SQ. FT. @ 3.3 SPACES/ 1,000 SQ. FT = 3.48 PARKING SPACES

SECOND FLOOR: OFFICES - 528 SQ. FT. @ 3.3 SPACES/ 1,000 SQ. FT = 1.74 PARKING SPACES

STORAGE SHED- 768 SQ. FT. @ 3.3 SPACES/ 1,000 SQ. FT = 2.53 PARKING SPACES

TOTAL PARKING SPACES REQUIRED = 7.97 PARKING SPACES

TOTAL PARKING SHOWN..... = 8 PARKING SPACES

DISTRICT:..... 12C7

SUBDIVISION: GRANGE PLAT

PROPERTY NOT IN ONE HUNDRED YEAR FLOOD PLAN.

PROPOSED SITE PLAN

scale: 1"=1'-40'

TO ACCOMPANY BLDG PERMIT



MARVIN HARRIS
7098/ 830
#7716 TRAPPE ROAD
TAX ID # 1208002650
EXIST DWELLING

DRAWING TITLE:
24' X 32' STORAGE SHED
NEW CONSTRUCTION
7715 TRAPPE ROAD
BALTIMORE, MD 21222

CLIENT:
FUSCSICK ENTERPRISES, LLC
7715 TRAPPE ROAD
BALTIMORE, MD 21222

ISSUE DATE:
5/23/97

SCALE:
AS NOTED

REVISIONS
6/11/97



Frank
Obidiaso
Architects, P.A.
5506 Craig Avenue
Baltimore, Maryland 21222
Phone: 410-323-4633
Fax: 410-323-6258

Architecture • Planning • Interiors

MICROFILMED

for your records

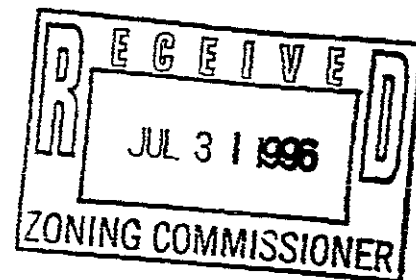
FUSCSICK ENTERPRISES, LLC

7835 WISE AVENUE, SECOND FLOOR

BALTIMORE, MD 21222-3350

(410) 284-6641

TELECOPIER: (410) 282-1847



July 31, 1996

Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County Office of Planning & Zoning
400 Washington Ave, Suite 112
Towson, MD 21204

RE: Spirit and Intent Change to Petition for Variance
S/S Trappe Road, 685' W of the c/l of Church Road
(7715 Trappe Road)
12th Election District - 7th Councilmanic District
Case No. 96-492-A

Dear Mr. Kotroco:

Please accept this letter as a formal request to allow the revised parking configuration, detailed in attached revised plat, in the Spirit and Intent of the Variance that was granted after the hearing on July 12th, 1996.

After a meeting with the neighbors, the revised configuration was suggested to allow the (3) existing large maple trees (see enclosed picture) to remain undisturbed in the rear of the building to aid in shielding the surrounding properties from the parking lot. The revised proposal utilizes approximately the same amount of new macadam, but will require the garage and porch to be removed. Traffic flow will also be aided with the proposed change, allowing out-going cars to view the entire driveway before exiting. We have also noted on the revised plat the six foot privacy fence and edging per the original variance order.

Thanks in advance for considering the revised parking lot configuration. If you require any additional information or have any questions please contact me at the numbers listed above. Please respond your decision to me within the variance appellate process which will end thirty days from the date of the order which was July 15th, 1996.

Kind regards,

A large, stylized handwritten signature in black ink.

George G. Fuscick, CPA, CFS

cc: E. Thomas 7717 Trappe Rd

MICROFILMED

*7/31/96
This modification
is within the Spirit & Intent
of my previous decision
Thank you*

AFTER 8/10/96
7/31/96

1720 WISE AVENUE
6075/ 387
#7720 WISE AVENUE
TAX ID # 1206038110
EXIST COMMERCIAL

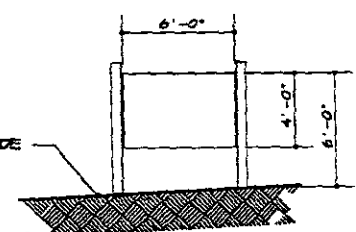
ADJACENT
PROPERTY
ZONED BM-CT

BOARD OF ARCHITECTS
10356



FRANK OBIDIA
STATE OF MARYLAND

VICINITY MAP
scale: 1" = 500'



PROPOSED SIGN.

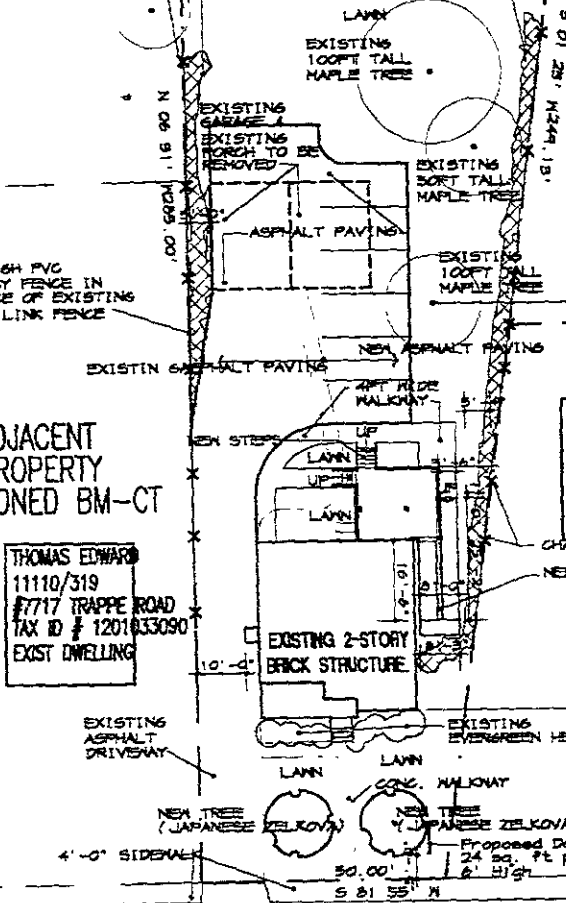
N.T.S.
ILLUMINATED, DOUBLE FACE
24 SQ. FT PER SIDE
48 SQ. FT TOTAL

ADJACENT
PROPERTY
ZONED BM-CT

WILLIAM WORTMAN
4833/ 177
#7715 TRAPPE ROAD
TAX ID # 1223475992
EXIST DWELLING

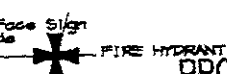
1. ORC # 06036H, DISTRICT 12C7. LIMITED EXEMPTION GRANTED UNDER SECTION 26-171(g)(7)
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3. NO PREVIOUS COMMERCIAL PERMITS GRANTED OR REQUESTED.

CHAIN LINK FENCE AT PROPERTY LINE
SCREENING IN ACCORDANCE WITH LANDSCAPE MANUAL



ADJACENT
PROPERTY
ZONED BM-CT

THOMAS EDWARDS
11110/319
#7717 TRAPPE ROAD
TAX ID # 1201833090
EXIST DWELLING



PROJECT DATA:

EXISTING ZONING:	BM-CT
EXISTING USE:	RESIDENTIAL
PROPOSED USE:	PROFESSIONAL OFFICES
PROPERTY AREA:	18,109.9 SQ. FT. (0.416 ACRES) GROSS AREA
BM-CT NET AREA	18,109.9 SQ. FT. (0.416 ACRES)
BM-CT GROSS AREA	18,109.9 SQ. FT. (0.416 ACRES)
F.A.R.	0.15
A.O.S.	NONE REQUIRED
PARKING REQUIREMENT:	
BASEMENT AREA :	1056 SQ. FT (STORAGE)
GROUND FLOOR :	OFFICES - 1056 SQ. FT. @ 3.3 SPACES/ 1,000 SQ. FT = 3.48 PARKING SPACES
SECOND FLOOR :	OFFICES - 528 SQ. FT. @ 3.3 SPACES/ 1,000 SQ. FT = 1.74 PARKING SPACES
TOTAL PARKING SPACES REQUIRED	= 5.22 PARKING SPACES
TOTAL PARKING SHOWN:	= 6 PARKING SPACES
DISTRICT:	12C7

PROPOSED SITE PLAN

scale: 1"=1'-40'



MARVIN HARRIS
7098/ 830
#7716 TRAPPE ROAD
TAX ID # 120802650
EXIST DWELLING

DRAWING TITLE:
PLAT
7715 TRAPPE AVENUE
BALTIMORE, MD 21222

CLIENT:
FUSICK ENTERPRISES
7835 WISE AVENUE
BALTIMORE, MD 21222

ISSUE DATE:
6/11/96

SCALE:
AS NOTED

REVISIONS
1 7/30/96



Frank Obidia
Architects, P.A.
5500 Calg Avenue
Baltimore, Maryland 21212
Phone: 410-323-4033
Fax: 410-323-4228

Architects • Planning • Interiors

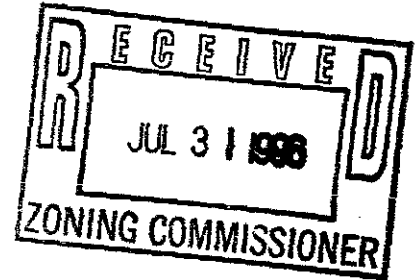
MICROFILMED

File

FUSCSICK ENTERPRISES, LLC

7835 WISE AVENUE, SECOND FLOOR
BALTIMORE, MD 21222-3350

(410) 284-6641
TELECOPIER: (410) 282-1847



July 31, 1996

Timothy M. Kotroco
Deputy Zoning Commissioner
Baltimore County Office of Planning & Zoning
400 Washington Ave, Suite 112
Towson, MD 21204

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Kind regards,

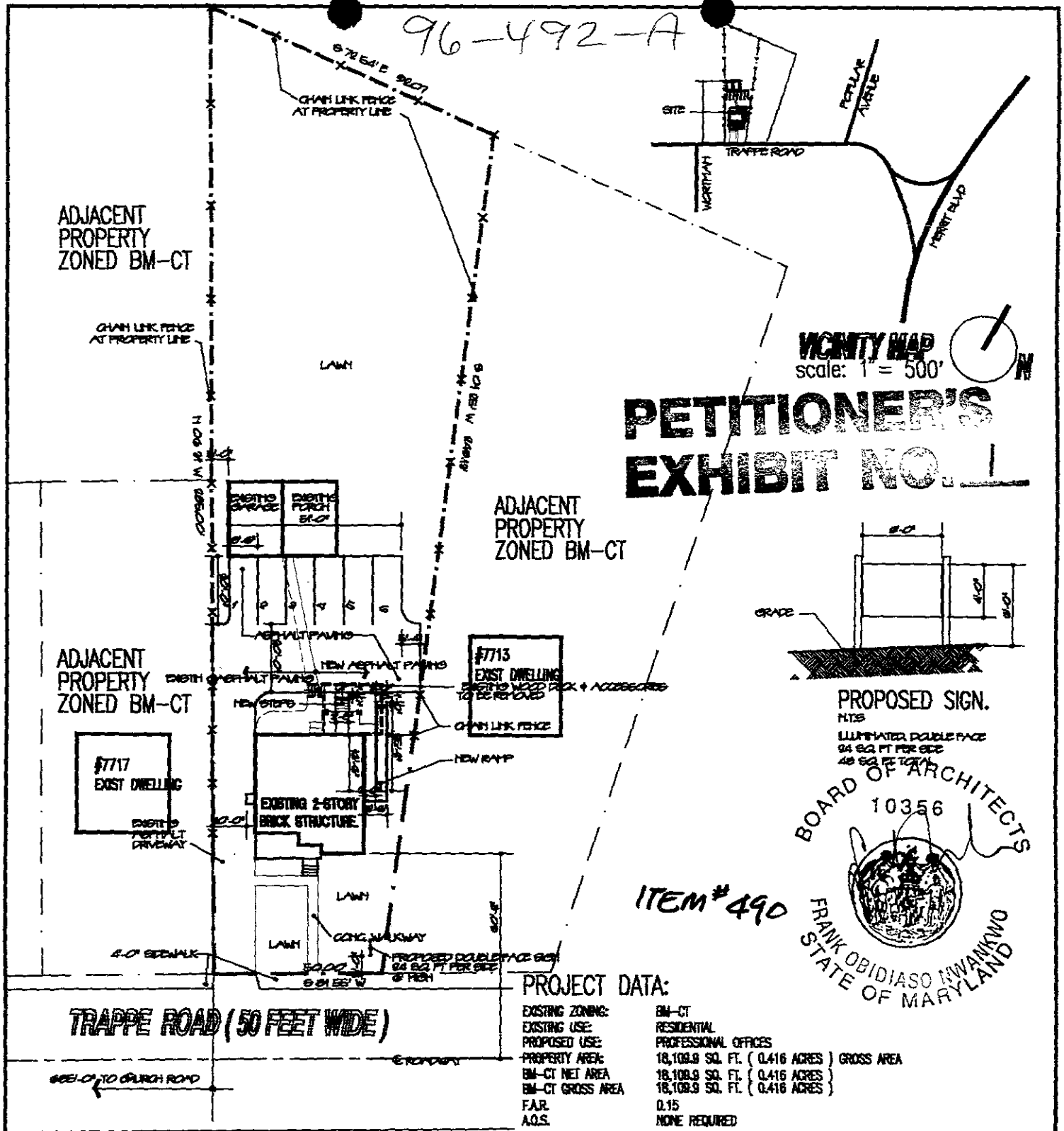
A large, stylized handwritten signature in black ink.

George G. Fuscick, CPA, CFS

cc: E. Thomas 7717 Trappe Rd

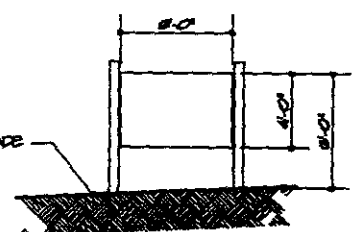
7/31/96
This modification is within the Spirit & Intent of my previous decision.
Timothy Kotroco
MICROFILMED

96-492-A

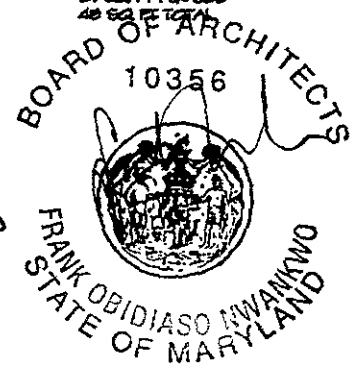


VICINITY MAP
scale: 1" = 500'

PETITIONER'S EXHIBIT NO. 1



PROPOSED SIGN.
N.T.S.
ILLUMINATED DOUBLE FACE
84 SQ. FT. FOR SIDE
48 SQ. FT. TOTAL



ITEM #490

PROJECT DATA:

EXISTING ZONING:	BM-CT
EXISTING USE:	RESIDENTIAL
PROPOSED USE:	PROFESSIONAL OFFICES
PROPERTY AREA:	18,108.9 SQ. FT. (0.416 ACRES) GROSS AREA
BM-CT NET AREA	18,108.9 SQ. FT. (0.416 ACRES)
BM-CT GROSS AREA	18,108.9 SQ. FT. (0.416 ACRES)
F.A.R.	0.15
A.Q.S.	NONE REQUIRED

PARKING REQUIREMENT:

BASEMENT AREA :	1056 SQ. FT. (STORAGE)	
GROUND FLOOR :	OFFICES - 1056 SQ. FT. @ 3.3 SPACES/ 1,000 SQ. FT.	= 3.48 PARKING SPACES
SECOND FLOOR :	OFFICES - 528 SQ. FT. @ 3.3 SPACES/ 1,000 SQ. FT.	= 1.74 PARKING SPACES
TOTAL PARKING SPACES REQUIRED		= 5.22 PARKING SPACES
TOTAL PARKING SHOWN		= 6 PARKING SPACES

DISTRICT: 1207

PROPOSED SITE PLAN

scale: 1" = 1'-40'

MICROFILMED

<p>DRAWING TITLE: PLAT 7715 TRAPPE AVENUE BALTIMORE, MD 21222</p>	<p>CLIENT: FUSCICK ENTERPRISES 7835 WISE AVENUE BALTIMORE, MD 21222</p>	<p>DATE: 6/11/96 SCALE: AS NOTED</p>	<p>Frank Obidiaso Nwankwo, Architect, P.A. 2500 Carly Avenue Baltimore, Maryland 21222 Phone: 410-325-8253 Fax: 410-325-8259 Architecture • Planning • Interiors</p>
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**REAR OF 7715 TRAPE
CASE # 96-412-A**